

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66935 of 2022

Arising Out of PS. Case No.-223 Year-2022 Thana- NATHNAGAR District- Bhagalpur

KISHUNDEO MANDAL Son of Umesh Mandal R/v- Kanjhia, P.S.-
Madhusudanpur, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
28.05.2022, in connection with Nathnagar (Madhusudanpur)
P.S. Case No. 223/2022, F.I.R. dated 07.04.2022, for the
offences punishable under Sections 302, 328 and 34 of the
Indian Penal Code.

According to prosecution case, the petitioner along
with other co-accused persons have committed murder of the
brother-in-law of the informant by administering poisonous
substance.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the basis of suspicion.



He further submits that in fact the informant is not an eyewitness of the alleged occurrence and in fact the petitioner has paid the entire amount as mentioned in the sale deed in question.

Learned Additional Public Prosecutor for the State on the other hand on the basis of material available on record and the case diary as well as viscera report has vehemently opposed the prayer for bail of the petitioner and submits that the allegation against the petitioner that he has administered poison to the brother-in-law of the informant and the viscera report also confirms the allegation, as alleged in the F.I.R.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Nathnagar (Madhusudanpur) P.S. Case No. 223/2022, pending in the court of learned C.J.M., Bhagalpur.

Prayer is refused.

(Rajesh Kumar Verma, J)

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